



## Procedures for Handling Potential Donors and Their Gifts

The guidance which follows addresses how Policy Committee members, Advisory Committee members and staff should address the subject of gifts and donations to facilitate the FY 2005 White House Conference on Aging.

### **Can I ask an individual or a corporation to provide a gift or donation to or in support of the White House Conference on Aging?**

No. Non-solicitation policy prohibits White House Conference employees, Advisory Committee members, and Policy Committee members, either directly or through another party, from requesting or suggesting donations of money, non-monetary gifts or services to support WHCoA activities.

### **If I receive unsolicited questions regarding gifts or donations, what should I do?**

When an outside organization or individual expresses an unsolicited interest in supporting WHCoA activities, an employee, Advisory Committee member, or Policy Committee member may provide information on the authority of the WHCoA to accept gifts and the procedures for offering and acceptance of gifts. An Information Fact Sheet on Private Donations is available and may be sent to potential donors.

Follow up questions from the organization or individual should be referred to Scott Nystrom, Executive Director, White House Conference on Aging.

### **What types of gifts can be accepted by the White House Conference on Aging?**

In general, gifts to carry out the Conference can be accepted in the form of cash, or provision of services or in-kind contributions where they can be of use to the White House Conference on Aging.

### **Are there gifts which cannot be accepted?**

Gifts may not be accepted if the conditions imposed by the donor are illegal, contrary to public policy, burdensome, unreasonable to administer, contrary to generally accepted public standards, or would create a conflict of interest or the appearance of a conflict of interest to a reasonable person. In addition, gifts for the purpose of supporting or supplementing a federal employee's salary cannot be accepted.

### **Can a donor specify or limit the purpose for which a gift is intended?**

Yes. While the Conference would prefer to receive unrestricted donations, a donor may limit the purposes for which it is given. A gift will be considered as conditional if the donor restricts its purpose to support a specific project, activity, function, observance, ceremony, particular public information or campaign, community outreach activities, or purchase of specific items or types of equipment, or other specific uses.

For conditional monetary gifts, the potential donor must agree in writing that, upon completion of the stipulated conditions or circumstances rendering completion of the conditions impossible, any remaining funds will be transferred to the unconditional gift account for the support of any other objectives of the WHCoA. The letter of acceptance of the gift must acknowledge the donor's agreement to this condition.

**Will the WHCoA provide recognition of donors and the gifts they provide?**

Yes. Recognition will be provided both through a letter of acceptance when the gift is made and formally during the Conference itself and/or in the report of the Conference.

**Can a gift be given in exchange for an endorsement of either the donor or its business or products?**

No. Gifts may not be accepted where they are tendered for the purpose of securing an endorsement. Donors that are commercial organizations will be advised that the acceptance of a gift does not constitute an endorsement. Nor may gifts be accepted when the donor expresses, directly or indirectly, an expectation of receiving a future benefit.

**Who should a donor make checks out to?**

Checks should be made out to the ***“Department of Health and Human Services—White House Conference on Aging”***. Should a donor prefer to wire funds instead of writing a check, the Executive Director will provide instructions directly regarding how this is to be done.

**If an organization wants to provide a service needed by the Conference in lieu of a cash contribution, is this possible?**

Yes. The potential donor will need to discuss with the Executive Director what service(s) would be provided and if accepted, coordinate with the Executive Director the details of how the service(s) will be provided. The donor will be responsible for providing the Executive Director with a valuation of the services provided.

**Can a gift be accepted from an organization that receives Federal funding or does business with the HHS, the Administration of Aging or the WHCoA?**

Such a gift might be acceptable even though such a donor might constitute a prohibited source. A prohibited source is an entity that has or is seeking to obtain contractual, financial, or other business relations in the performance or nonperformance of the WHCoA or AoA functions.

The fact that a potential donor is a prohibited source does not necessarily mean that a proposed gift may not be accepted, only that it must be carefully evaluated first for possible conflicts of interest.

Final determination on acceptance in such instances will need to be made by the Executive Director, in consultation as necessary with the Office of the General Counsel and/or the AoA Ethics Officer.

**Who will be responsible for actually depositing gifts and tracking their expenditure?**

These functions will be carried out by staff in the AoA Office of Budget and Finance working with the Department's Program Support Center which provides accounting services for AoA and the WHCoA.